

1 motion for extension of time to file an amended complaint. (Docket No. 22.) On September 19,
2 2013, plaintiff filed an amended complaint. (Docket No. 24.) On October 3, 2013, defendant
3 filed a motion requesting the court to screen the amended complaint and vacate the current
4 briefing schedule. On October 23, 2013, plaintiff filed a motion requesting appointment of
5 counsel. (Docket No. 27.)

6 Plaintiff's motion for extension of time to file an amended complaint is **GRANTED**.
7 Plaintiff's amended complaint, filed September 19, 2013, is deemed timely. Defendant's motion
8 is **GRANTED**. The briefing schedule created pursuant to the court's order dated July 16, 2013
9 (docket no. 19), is **VACATED**. The court shall screen plaintiff's amended complaint in a
10 separate order. Plaintiff's motion for appointment of counsel is **DENIED** for want of
11 exceptional circumstances. *See Rand v. Rowland*, 113 F.3d 1520, 1525 (9th Cir. 1997); *see also*
12 *Lassiter v. Dep't of Social Services*, 452 U.S. 18, 25 (1981) (there is no constitutional right to
13 counsel in a civil case). This denial is without prejudice to the court's *sua sponte* appointment of
14 counsel at a future date should the circumstances of this case warrant such appointment.

15 This order terminates docket numbers 22, 26 and 27.

16 IT IS SO ORDERED.

17 DATED: 11/7/13



LUCY H. KOH
United States District Judge